

### **REMARKS**

The Official Action rejects Claims 1-14, 30, 32, 36-39, 41 under 35 U.S.C. § 101 for being directed to non-statutory subject matter. In this regard, independent Claims 1 and 10 have been amended in order to recite that the addition of a user-generated event entry and the visual association of the user identifier with a non-broadcast-related event are preformed by a processor. As such, independent Claims 1 and 10, as amended, as well as Claims 2-9, 11-14, 30, 32, 36-39 and 41 are tied to a particular machine and, consequently, are directed to statutory subject matter such that the rejection under 35 U.S.C. § 101 is overcome.

The Official Action also rejects independent Claims 1, 15 and 25, and various dependent claims, under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0020744 to Ellis et al. ("Ellis") which incorporates by reference each of U.S. Patent No. 7,185,355 to Ellis, et al. ("E355"), U.S. Patent Application Publication No. 2005/0204388 to Knudson, et al. ("K388"), U.S. Patent Application Publication No. 2003/0149988 to Ellis, et al. ("E988") and U.S. Patent Application Publication No. 2005/0204387 to Knudson, et al. ("K387"). The Official Action also rejected independent Claim 10, and several dependent claims, under 35 U.S.C. § 103(a) as being obvious over the combination of Ellis and U.S. Patent No. 6,430,359 to Yuen, et al. ("Yuen"). Other dependent claims were rejected under 35 U.S.C. § 103(a) as being obvious over Ellis in combination one or more of Yuen, U.S. Patent No. 6,532,589 to Proehl, et al. and U.S. Patent No. 6,369,840 to Barnett, et al. ("Barnett"). Further, all of the claims were alternatively rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0049620 to Uchida, et al. ("Uchida") in view of E355.

As described below, each of the independent claims have been amended in order to further patently distinguish the claimed invention from the cited references, taken either individually or in combination. As a result of the amendments to the independent claims, dependent Claim 32, 33 and 36 have been correspondingly amended and dependent Claims 38-40 have been cancelled. As a result of the forgoing amendments and the following remarks, reconsideration of the present application and allowance of the amended set of claims are respectfully requested.

As previously set forth, the method of independent Claim 1 included accessing an electronic programming guide that is defined to include a listing of a plurality of specific instances of scheduled broadcast programs in relation to respective unique scheduled times and channels as well as information associated with each of the plurality of scheduled broadcast programs. The accessed electronic programming guide is displayed on the electronic display. According to the method of independent Claim 1, a user's selection of at least one specific instance of a broadcast program is received and in response, a user identifier is visually associated in the electronic programming guide with the at least one specific instance of a broadcast program. As described by the present application, the visual association of the user identifier with the specific instance of the broadcast program that has been selected permits other family members or other users of the electronic programming guide to determine who is planning to watch or record which broadcast programs in order, for example, to determine potential conflicts well in advance such that the potential conflicts can be resolved.

Independent Claim 1 has now been amended to include the following elements:

accessing an electronic calendar configured to store a plurality of event entries at a respective plurality of times with the event entries including a specific instance of a scheduled broadcast program as well as at least one user-generated event entry relating to a scheduled non-broadcast-related event, the electronic calendar listing events in relation to times and dates;

adding a user-generated event entry relating to a scheduled non-broadcast-related event to the electronic calendar and visually associating in the electronic calendar a user identifier with the non-broadcast-related event added to the electronic calendar, wherein adding the user-generated event entry and visually associating the user identifier are performed by a processor;

By way of example, an electronic calendar, such as shown in Figure 2 of the present application, may be accessed. As shown in Figure 2, the electronic calendar includes various event entries at respective times. The event entries include a specific instances of several scheduled broadcast programs, e.g., Home Improvement, tennis, Total Recall and Little Women, as well as several user-generated event entries relating to scheduled non-broadcast related events, e.g., Call ACME about delivery, Lunch with Marcus and Call Kirsten. As also shown in Figure 2, each of the user-generated event entries relating to scheduled non-broadcast-events have a user identifier identifying the

user that generated the respective event entry. For example, the Call ACME regarding delivery has an associated user identifier of S for son, the Lunch with Marcus has an associated user identifier of F for father and the Call Kirsten has an associated user identifier of D for daughter.

Although a number of the references include electronic programming guides, only Uchida and Barnett disclose electronic calendars that include both user-generated event entries and event entries relating to specific instances of scheduled broadcast programs. Indeed, the other cited references focus upon an electronic programming guide with no discussion of an electronic calendar that would also include user-generated event entries relating to scheduled non-broadcast-related events, as now set forth by the amended independent claims. Moreover, while Uchida and Barnett disclose an electronic calendar, neither Uchida nor Barnett teach or suggest visually associating in the electronic calendar the user identifier with the non-broadcast-related event added to the electronic calendar. Indeed, as the electronic calendars of Uchida and Barnett appear to be the electronic calendars for specific individuals (see, for example, the electronic calendar of Mitch Brown from Figure 13 of Barnett), there would be no reason to add a user identifier to the user-generated event entries since each of the user-generated event entries are generated by the same person such that any added user identifier would be at best superfluous and potentially distracting or confusing to the user.

Since none of the cited references teach of suggest visually associating the user identifier with a non-broadcast-related event added to an electronic calendar that also includes event entries relating to specific instances of a scheduled broadcast program, it is logical that no combination of the cited references teach of suggest that same recitation. As such, the method of amended independent Claim 1 is not taught or suggested by the cited references, taken either individually or in combination. Since each of the other independent claims, that is, independent Claims 10, 15 and 25, have been amended in a comparable manner to that described above, it is also submitted that each of the other independent claims are also not taught or suggested by the cited references, taken either individually or in combination, for at least the same reasons as described above in conjunction with amended independent Claim 1. Further, since each of the dependent

claims include the recitations of a respective independent claim, the cited references, taken either individually or in combination, also fail to teach or suggest each of the dependent claims for at least the same reasons described above. As such, rejections of the claims as being unpatentable under 35 U.S.C. § 102(e) and/or 35 U.S.C. § 103(a) are therefore overcome.


**CONCLUSION**

In view of the remarks and amendments presented above, it is respectfully submitted that the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

The patentability of the independent claims has been argued as set forth above and thus Applicant will not take this opportunity to argue the merits of the rejection with regard to specific dependent claims. However, Applicant does not concede that the dependent claims are not independently patentable and reserves the right to argue the patentability of dependent claims at a later date if necessary.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Guy R. Gosnell  
Registration No. 34,610

**Customer No. 000067141**

**ALSTON & BIRD LLP**

Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

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